

SEP 22 2005

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PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

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September 22, 2005

FACSIMILE COVER SHEET

To: Examiner Firmin Backer
Art Unit 3621
Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22213-1450

Fax: 571-273-8300

Enclosures:

Fax Cover Sheet containing Certificate of
Facsimile Transmission (1 page)
Transmittal containing Certificate of Facsimile
Transmission (1 page)
Notice of Appeal containing Certificate of
Facsimile Transmission and Authorization to
Charge Deposit Account 23-3000 in the
amount of \$500.00 for the Appeal Fee
(1 page)
Pre-Appeal Brief Review Request (5 pages)

From: Scott A. Stinebruner
Reg. No. 38,323

Re: U.S. Patent Application
Serial No. 09/431,833
Filed: November 2, 1999
Applicant: Joseph Phillip Bigus et al.
Art Unit: 3621
Confirmation No.: 9272
Our Ref: IBM/02B

Pages: 8 (including cover sheet)

MESSAGE/COMMENTS
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Judith L. Volk
Judith L. Volk

September 22, 2005
Date

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PATENT

IBM/02B
Confirmation No. 9272

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Joseph Phillip Bigus et al. Art Unit: 3621
Serial No.: 09/431,833 Examiner: Firmin Backer
Filed: November 2, 1999 Atty Docket No. RO996054L
For: INTELLIGENT AGENT WITH NEGOTIATION CAPABILITY AND
METHOD OF NEGOTIATION THEREWITH

TRANSMITTAL

Mail Stop AF
Commission for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Sir:

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Charge Deposit Account 23-3000 in the amount of \$500.00 for the Appeal Fee
(1 page)
Pre-Appeal Brief Review Request (5 pages)


Please charge any additional fees or credit overpayment to Deposit Account No. 23-3000.

WOOD, HERRON & EVANS, L.L.P. By:
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Scott A. Stinebruner
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Judith L. Volk Date September 22, 2005

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Serial No. 09/431,833
Transmittal for Notice of Appeal of September 22, 2005
IBM Docket RO996054L
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**Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Applicants hereby appeal to the Board of Appeals from the decision of the Primary Examiner mailed **June 22, 2005** finally rejecting claims 54-63 and 104-116.

The item(s) checked below are appropriate:

1. Applicants hereby petition for a month extension of time to reply to the final rejection.
A check in the amount of \$ is attached.
2. X Appeal Fee: XXX Other than a small entity Fee: \$500.00
 Small Entity Status previously Requested and is still proper Fee: \$
 Small Entity Status Requested Fee: \$
3. X Payment
 Check attached for the sum of \$.
 XXX Please charge the sum of \$500.00 and any deficiency or credit
any overpayment to Deposit Account No. 23-3000.

Respectfully submitted,

Wood, Herron & Evans, L.L.P.
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By:

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Reg. No. 38,323

Date:

22 SEP 2005

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Judith L. Volk September 22, 2005
Judith L. Volk Date

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Reply to Final Office Action of June 22, 2005
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WH&E IBM/02B
K-Iber/02B/Notice of Appeal-2 w/ K-Iber/02B/Notice of Appeal-2 w/